

PRESS RELEASE

FOR IMMEDIATE RELEASE
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For Information Contact Public Affairs
HARRIET BERNICK
Telephone: (602) 514-7736
Pager: (602) 356-0004

FEDERAL JURY CONVICTS MAN IN NEAR-FATAL ASSAULT

PHOENIX, ARIZONA -- The United States Attorney's Office for the District of Arizona announced that on January 16, 2004, Mervie Halwood, D.O.B. 5/9/80, of Del Muerto, Arizona, a member of the Navajo Nation, was found guilty of Assault Resulting in Serious Bodily Injury of the victim, Morrison Hardy, also a member of the Navajo Nation, by a federal jury in Prescott, Arizona.

The evidence at trial showed that on March 16, 2003, Halwood and several of his relatives traveled to the home shared by the victim, intending to purchase marijuana from the uncle of the minor victim. When they were denied by the victim's uncle, the defendant and the others became enraged and began breaking windows and throwing rocks at home. The victim stepped outside his home out of concern for his dog who was tied up outside. The defendant, Halwood, punched the victim and knocked him to the ground, where he and four others beat the minor victim for several minutes where he lay helpless on the ground. There was also evidence at trial that a metal pipe was also used in the attack. The victim sustained life-threatening injuries including a skull fracture, fractures of his nose and facial bones, and brain injuries, including a subdural hematoma.

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At trial, Halwood, approximately 6' and 200 pounds, testified and claimed self defense against the minor victim, who was approximately 5'7" and 95 pounds.

The defendant was remanded to the custody of the U.S. Marshals by Judge Roger Strand after trial.

Mervie Halwood, had been charged with violating Title 18 of the United States Code, Sections 113(a)(3) and (6). The case was tried before United States District Court Judge Roger Strand on January 13-16, 2004, in Prescott, Arizona.

A conviction for Assault Resulting in Serious Bodily Injury carries a maximum penalty of 10 years, a \$ 250,000.00 fine or both.

The investigation leading to the guilty verdict was conducted by the Federal Bureau of Investigation and the Navajo Nation Department of Law Enforcement Services.

Sentencing is set before Judge Roger Strand on April 5, 2004.

The prosecution was handled by Soo Song, Assistant United States Attorney, District of Arizona, Phoenix, Arizona.

CASE NUMBER: CR-03-765-PCT-RGS
RELEASE NUMBER: 2004-010

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